

### REMARKS/ARGUMENTS

The Abstract of the Disclosure has been formally amended in the manner proposed by the Examiner.

Claim 1 has been replaced by claim 9 in an effort to define the disclosed subject matter more definitely. This claim is respectfully submitted to be patentable over the cited Stanchfield patent under 35 U. S. C. 103(a).

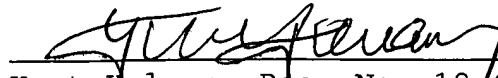
As any person of ordinary skill in the art readily recognizes, a groove in the underside of the covering flange will weaken the same so that, as shown by Stanchfield, a break in the covering flange will be avoided. Therefore, Stanchfield uses lug 18 for fastening compensating strip 40 to covering flange 12, which lug projects from an underside of the covering flange into a groove in the compensating strip. As has been pointed out on top of page 3 of the specification, this makes it difficult to use such cover profiles to cover the expansion joint between sections of the floor on the same level without having to perform additional work on the profiled cover. In other words, if the profiled cover is to be used without the

compensating strip, the lug (tongue) must be severed from the covering flange.

According to the claimed invention, the weakening of the covering flange by the groove can be accepted because, the weakened section of the covering flange is supported flat over the floor coverings it covers, when the covering flange is not supported by a compensating strip. This is respectfully submitted not to be a mere reversal of parts but based on an inside not grasped by the state of the art. Accordingly, claim 9 recites a feature not believed to be obvious, and this claim is believed to be patentable. All other claims depend on claim 9 and are believed to be allowable therewith.

A sincere effort having been made to overall all grounds of objection and rejection, favorable reconsideration and allowance of claims 2 to 9 are respectfully solicited.

Respectfully submitted,  
FRANZ NEUHOFFER JR.



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COLLARD & ROE, P.C.  
1077 Northern Boulevard  
Roslyn, New York 11576  
(516) 365-9802

Kurt Kelman, Reg. No. 18,628  
Allison C. Collard, Reg. No. 22,532  
Edward R. Freedman, Reg. No. 26,048  
Frederick J. Dorchak, Reg. No. 29,298  
Attorneys for Applicants

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on September 8, 2008.

  
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Amy Klein